

United States District Court
Southern District of Ohio

Nehemiah Rolle, Jr.

Plaintiff,

-against-

AurGroup Credit Union and
CEO AurGroup Credit Union Tim Boellner
Defendants.

FILED
RICHARD W. NAGEL
CLERK OF COURT

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U.S. DISTRICT COURT
SOUTHERN DIST OHIO
WEST DIV CINCINNATI

**Federal Complaint
Demanding Trial by Jury
Equity Lawsuit**

1:21CV0006

J. COLE

MJ. LITKOVITZ

Preliminary Statement

This civil action involves the **willful and intentional violations under color of state and federal law** to unlawfully deprive Plaintiff of his *First, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Thirteenth and Fourteenth of the United States Constitution*. And, involves *Article III Section 2, Clause 1, of the U.S. Constitution* which states that Judicial Power shall extend to all cases, in Law and Equity, arising under this Constitution, the Laws of the United States, treaties made, or which shall be under their Authority; *Article VI, Supreme Law of the Land*; the Constitution and laws of the United States, which shall be made in pursuance thereof. All treaties made, under the Authority of the United States shall be, bound by that. This action is brought in accordance with *Title 42 U.S.C. Sections 1983 and 1985 of the Civil Rights Act*. This action is brought in accordance with *Title U.S.C. Sections 1983, 1985, and 1988 of the Civil Rights Act* specifically the provision seeking equitable relief and compensatory damages of \$300 Million dollars against Defendants and for punitive damages of \$150 Million dollars against Defendants a declaratory judgment criminal fraud and grand larceny and filing false and fraudulent business entities and agencies a felony in this state. And, Plaintiff brings this action against and the Defendant AurGroup Credit Union and AurGroup Credit Union CEO Tim Boellner for willful and intentional libel and slander and discrimination in violation of *Title 42 Section USC 1983 Liability for Defamation and the Federal Truth and Lending Act and the Fair Credit Reporting Act*.

Jurisdiction of Court

This civil action arises under Article III Section 2, Clause 1, of the U.S. Constitution which that Judicial Power shall extend to all cases, in Law and Equity, arising under this Constitution, the Laws of the United States, treaties made, or which shall be, under their Authority; Article VI, Supreme Law of the Land; the Constitution and laws of the United States, which shall be made in pursuance thereof. All treaties made, under the Authority of the United States shall be Supreme Law of the Land and the Judges in every state shall be bound by that. This action is brought in accordance with *Title U.S.C. Sections 1331 and 1342* and *Title 42 U.S.C. Sections 1983,1985, and 1988 of the Civil Rights Act*.

Right Pursuant to U.S. Constitution Violate By This Defendants

1st Amendment [1791] Citizens of United States have the right to petition the government for a redress of Grievances.

4th Amendment [1791] The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, support by Oath or affirmation, and describing the place to be searched, and the persons or things to be seized.

5th Amendment [1791] **nor deprived of life, liberty, or property, without due process of law;** nor shall private property be taken for public use, without just compensation.

6th Amendment [1791] **In all criminal prosecutions, the accused shall enjoy the right to speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be informed of the nature and causes of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses his favor, and to have the Assistance of Counsel for his defense.**

7th Amendment [1791] In Suits at Common law, where the value in controversy shall exceed twenty Dollars, the right of trial by jury shall be preserved, and no fact tried by jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

8th Amendment [1791] nor cruel and unusual punishments inflicted.

9th Amendment [1791] The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

10th Amendment [1791] The power not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

14th Amendment [1865] Section 1. All persons born or naturalized in the United States, and subjected to the jurisdiction thereof, is citizens of the United States and of the State wherein they reside. **No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws .**

Parties To This Civil Action

1. Plaintiff, Nehemiah Rolle, Jr. a citizen of the United States located at 3874 Paxton Avenue – Unit 9643, Cincinnati, Ohio 45209.

2. Defendant AurGroup Credit Union personally, individually, and as a state chartered credit Union with its executive offices and headquarters at 8811 Holden Boulevard, Fairfield, Ohio 45014 and Defendant AurGroup Credit Union CEO Tim Boellner. With respect to transactions and occurrences that form the basis of this complaint against AurGroup Credit Union and AurGroup Credit Union CEO Tim Boellner who were acting under color of Federal law and Ohio State law and who were also acting under color of State law and in violation of Federal law and the *United States Constitution* and *Title 42 United States Code Section 1983, 1985, and 1988 of the Civil Rights Act* in violation of the *Federal Credit Union Act*.

Statement of Claims

3. The Plaintiff Nehemiah Rolle, Jr. brings this complaint against the Defendant AurGroup Credit Union the who for unlawfully and unjustly and fraudulently starting on August 10, 2017 opening up an checking and then saving accounts where Plaintiff was promised in writing a checking account with over-draft protection; but, Nicole Anderson of Defendant AurGroup Credit Union and the Defendant AurGroup Credit Union unlawfully and unjustly and

fraudulently did not keep their agreement with Plaintiff due to racism and proceeded to for two years thru a criminal scheme to steal several thousand dollars from the Plaintiff thru the Plaintiff in false overdraft fees that Plaintiff was never afforded even the though the agreed to provide the Plaintiff with overdraft protection.

4. The Plaintiff Nehemiah Rolle, Jr. brings this next complaint against the Defendant AurGroup Credit Union for refusing in 2018 and 2019 to honor AurGroup Credit Union debit card transactions of the Plaintiff even though the Plaintiff had the funds on deposited with the Defendant AurGroup Credit Union in criminal fraudulent scheme to steal additional fees from a disabled Black American and senior citizen in further act of racism and discrimination.

5. The Plaintiff Nehemiah Rolle, Jr. brings this next complaint against the Defendant AurGroup Credit Union for in 2018 and 2019 unlawfully and unjustly and fraudulently refusing in 2018 and 2019 to honor AurGroup Credit Union checking and check transactions of the Plaintiff even though the Plaintiff had the funds deposited with the Defendant AurGroup Credit Union in criminal fraudulent scheme to steal additional fees from a disabled Black American and senior citizen in further act of racism and discrimination and then the Defendant AurGroup Credit Falsely and fraudulent report those transactions to various check report entities like “Chexsystems” and various Check reporting agencies to falsely and fraudulent destroy the Plaintiff credit worthiness.

6. The Plaintiff Nehemiah Rolle, Jr. brings this next complaint against the Defendant AurGroup Credit Union for in 2018 and 2019 unlawfully and unjustly and fraudulently refusing issue the Plaintiff Nehemiah Rolle, Jr., a valid AurGroup Credit Union debit card to Plaintiff’s checking account and saving accounts to track and access his funds at the ATM machines in supreme act of racism and discrimination. Further, the Plaintiff Nehemiah Rolle, Jr., brings the additional claim against the Defendant AurGroup Credit Union for racism and discrimination of not issuing a valid AurGroup debit like their issued to their white American AurGroup members and white senior citizens and white retired members and for the Defendant AurGroup Credit Union breaking their word and agreement to issue the Plaintiff a valid AurGroup Credit Union debit card when Plaintiff Nehemiah Rolle, Jr., first opened his checking and saving accounts on August 10, 2017 in act of criminal fraud and racism so the Defendant AurGroup Credit Union could criminally steal from the Plaintiff Nehemiah Rolle, Jr., and criminal the Plaintiff’s money to tune of thousands of

dollars and the Plaintiff would have no way of tracking how the Defendant AurGroup Credit Union was stealing his money out of his checking and saving accounts.

7. The Plaintiff Nehemiah Rolle, Jr. brings this next complaint against the Defendant AurGroup Credit Union CEO Tim Boellner for aiding and abetting his credit union in 2018 and 2019 unlawfully and unjustly and fraudulently Refusing to issue the Plaintiff Nehemiah Rolle, Jr., a valid AurGroup Credit Union debit card to Plaintiff's checking account and saving accounts to track and access his funds at the ATM machines in supreme act of racism and discrimination. Further, the Plaintiff Nehemiah Rolle, Jr., brings against the Defendant AurGroup Credit Union CEO Tim Boellner for aiding and abetting his credit union in 2018 and 2019 unlawfully and unjustly and fraudulently engage in the acts of racism and discrimination of not issuing the Plaintiff a valid AurGroup debit like their issued to their white American AurGroup members and white senior citizens and white retired members and for the Defendant AurGroup Credit Union breaking their word and agreement to issue the Plaintiff a valid AurGroup Credit Union debit card when Plaintiff Nehemiah Rolle, Jr., first opened his checking and saving accounts on August 10, 2017 in act of criminal fraud and racism and the Defendant AurGroup Credit Union Tim Boellner aided and abetted in criminal conspiracy the other Defendant AurGroup Credit Union so the Defendant AurGroup Credit Union could criminally steal from the Plaintiff Nehemiah Rolle, Jr., and criminal the Plaintiff's money to tune of thousands of dollars and the Plaintiff would have no way of tracking how the Defendant AurGroup Credit Union was stealing his money out of his checking and saving accounts.

8. The Plaintiff Nehemiah Rolle, Jr. brings this next complaint against the Defendant AurGroup Credit Union CEO Tim Boellner who aided and abetted his credit union, the Defendant AurGroup Credit Union fraudulent steal from the Plaintiff in 2018 and 2019 as cited in claims 3 thru 5.

9. The Plaintiff Nehemiah Rolle, Jr. brings this next complaint against the Defendant AurGroup Credit Union CEO Tim Boellner for in January and February 2019 unlawfully and unjustly and fraudulently running the Plaintiff credit for re-financing credit automobile with the major credit reporting agencies without the Plaintiff's express permission and signature in order to fraudulently obtain protected credit information about the Plaintiff in violation of

Federal Truth and Lending Act and the *Fair Credit Reporting Act*; so the Defendant AurGroup Credit Union CEO Tim Boellner unlawfully and unjustly and fraudulently slander and libel and defame the Plaintiff violation Federal law and under the color of state and deprive the Plaintiff of United States Constitutional Rights pursuant to the *1st, 5th, & 14th Amendments to the United States Constitution* and in violation of *Title U.S.C. Sections 1983, 1985, and 1988 of the Civil Rights Act*.

10. The Plaintiff Nehemiah Rolle, Jr. brings this next complaint against the Defendant AurGroup Credit Union CEO Tim Boellner unlawfully and unjustly and falsely and fraudulently charging off a fictitious debt for \$237.97 which was falsely and fraudulently reported to the major Credit Reporting Agencies when fact the Defendant AurGroup Credit Union CEO Tim Boellner and the Defendant AurGroup Credit Union owes the Plaintiff several Thousand dollars plus interest that they stole from the Plaintiff checking and saving accounts thru fraud and grand larceny and racism against a Black American citizen of the United States who is a senior citizen without the Plaintiff's knowledge or consent.

11. The Plaintiff Nehemiah Rolle, Jr. brings this next complaint against the Defendant AurGroup Credit Union CEO Tim Boellner unlawfully and unjustly and falsely and fraudulently closing the Plaintiff's AurGroup Credit Union accounts to conceal and hide the fact that he, the Defendant AurGroup Credit Union CEO Tim Boellner and the Defendant AurGroup Credit Union was stealing the Plaintiff's money out his accounts thru a criminal conspiracy and thru a criminal enterprise of fraud and grand larceny practiced against Black American senior citizens like the Plaintiff.

Relief Requested by Plaintiff

Wherefore, I the Plaintiff Nehemiah Rolle, Jr. seeks first equitable relief and a monetary and compensatory Judgment against each of these Defendants of \$300 Million dollars for grand larceny and for falsely and fraudulently and for multiple acts aiding and abetting and concealing criminal fraud and grand larceny and Federal obstruction of justice under color of state law and for intentionally continuing criminal and fraudulent acts of depriving and violating Plaintiff Nehemiah Rolle, Jr's Constitutional Rights to pursuant to the *1st, 5th & 14th Amendment to the United States*

Constitution and for the deprivations of the Plaintiff's rights pursuant to *Title 42 U.S.C Chapter 21 Sections 1983, 1985, and 1988 of the Civil Rights Act* and for willful and intentional libel and slander and discrimination in violation of *Title 42 Section USC 1983* and held liable for Defamation and violating the *Federal Truth and Lending Act* and the *Fair Credit Reporting Act*. And, Plaintiff seeks \$150 Million dollars against each of these Defendants in punitive damages for criminal fraud and grand larceny and filing false and fraudulent business entities and agencies a felony in this state. And, Plaintiff brings this action against and the Defendant AurGroup Credit Union and AurGroup Credit Union CEO Tim Boellner for willful and intentional libel and slander and discrimination in violation of *Title 42 Section USC 1983* and held liable for Defamation and violating the *Federal Truth and Lending Act* and the *Fair Credit Reporting Act*. And, Plaintiff seeks a declaratory judgment saying the Defendants should be criminally prosecuted for willful and intentional libel and slander and discrimination in violation of *Title 42 Section USC 1983* and held liable for Defamation and violating the *Federal Truth and Lending Act* and the *Fair Credit Reporting Act*. And, prosecuted for criminal fraud and grand larceny and filing false and fraudulent business entities and agencies against the Plaintiff a felony in this state. In the event Defendants does not answer this Federal complaint within 21 days after being served, a default judgment must be granted to the Plaintiff and the Defendants be adjudged as if they, the Defendants was convicted after a jury trial.

Signed this 05 day of January, 2021. I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted,

Nehemiah Rolle Jr.
Plaintiff Nehemiah Rolle, Jr. acting as his own lawyer
3874 Paxton Avenue – Unit 9643
Cincinnati, Ohio 45209

Sworn to before me 5
day of January, 2021

Tonji E. Banks
Notary Public



TONJI E. BANKS
Notary Public, State of Ohio
My Commission Expires
October 15, 2023